

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL V. PALAMARA,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

KINGS FAMILY RESTAURANTS,

Defendant.

)
) Civil Action No. 07-0317
)

) CLASS ACTION
)

) Judge Gary L. Lancaster
)

) **ELECTRONICALLY FILED**
)
)
)

**ORDER DIRECTING THE DISSEMINATION OF NOTICE AND SCHEDULING A
FINAL SETTLEMENT HEARING**

The Court having considered the Class Action Settlement Agreement and its exhibits, the joint motion of the Settling Parties for an order preliminarily approving a class action settlement, and the Joint Revised Plan of Class Action Settlement Notice [document #22] directing the dissemination of notice and setting a final settlement hearing, and all other papers filed in this action. The matter having been submitted and good cause appearing therefore, IT IS HEREBY ORDERED that:

1. Pursuant to the Court's order of November 9, 2007 [document #21], the Class Action Settlement Agreement was preliminarily approved;
2. Notice of the proposed settlement and the rights of Class Members to opt out of the settlement and/or to become a Participating Claimant shall be given by issuance of publication notice consistent with the terms of the Settlement Agreement on December 9, 2007. According to the terms of the Settlement Agreement, the second notice shall be published on December 16, 2007.
3. Defendant shall post notice of the settlement, consistent with paragraphs 1 through 3 of the Joint Revised Plan of Class Action Settlement Notice.
4. Defendant shall post notice of the settlement on their website, consistent with paragraph 4 of the Joint Revised Plan of Class Action Settlement Notice.

5. A hearing shall be held before this Court on Friday, February 15, 2008 at 9:30 AM in Courtroom #3A, 3rd floor, United States Courthouse, Pittsburgh, Pennsylvania to consider whether the settlement should be given final approval by the Court:

(a) Written objections by Class Members to the proposed settlement will be considered if received by the Court and Class Counsel on or before January 30, 2008;

(b) Any class member who wishes to opt-out of the proposed settlement must file a notice with both the Court and Class Counsel on or before January 30, 2008;

(c) At the Settlement Hearing, Class Members may be heard orally in support of or, if they have timely submitted written objections, in opposition to the settlement;

(d) Class Counsel and counsel for the defendant should be prepared at the hearing to respond to objections filed by Class Members and to provide other information as appropriate, bearing on whether or not the settlement should be approved; and

6. In the event that the Effective Date occurs, all Class Members will be deemed to have forever released and discharged the Released Claims. In the event that the Effective Date does not occur for any reason whatsoever, the Settlement Agreement shall be deemed null and void and shall have no effect whatsoever.

DATED: 11/26/07

A handwritten signature in black ink, appearing to read "G L Lancaster", written over a horizontal line.

The Honorable Gary L. Lancaster

United States District Judge